

Senate File 2254 - Introduced

SENATE FILE 2254

BY CARLIN

A BILL FOR

1 An Act relating to criminal penalties for individuals engaged
2 in human trafficking of victims who are under the age of
3 eighteen.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 710A.2, Code 2018, is amended to read as
2 follows:

3 **710A.2 Human trafficking.**

4 1. A person who knowingly engages in human trafficking is
5 guilty of a class "D" felony, except that if the victim is
6 under the age of eighteen, the person is guilty of a class "C"
7 "B" felony.

8 2. A person who knowingly engages in human trafficking by
9 causing or threatening to cause serious physical injury to
10 another person is guilty of a class "C" felony, except that if
11 the victim is under the age of eighteen, the person is guilty
12 of a class "B" felony.

13 3. A person who knowingly engages in human trafficking by
14 physically restraining or threatening to physically restrain
15 another person is guilty of a class "D" felony, except that if
16 the victim is under the age of eighteen, the person is guilty
17 of a class "C" "B" felony.

18 4. A person who knowingly engages in human trafficking by
19 soliciting services or benefiting from the services of a victim
20 is guilty of a class "D" felony, except that if the victim is
21 under the age of eighteen, the person is guilty of a class "C"
22 "B" felony.

23 5. A person who knowingly engages in human trafficking by
24 abusing or threatening to abuse the law or legal process is
25 guilty of a class "D" felony, except that if the victim is
26 under the age of eighteen, the person is guilty of a class "C"
27 "B" felony.

28 6. A person who knowingly engages in human trafficking
29 by knowingly destroying, concealing, removing, confiscating,
30 or possessing any actual or purported passport or other
31 immigration document, or any other actual or purported
32 government identification document of a victim is guilty of a
33 class "D" felony, except that if that other person is under
34 the age of eighteen, the person is guilty of a class "C" "B"
35 felony.

1 7. A person who benefits financially or by receiving
2 anything of value from knowing participation in human
3 trafficking is guilty of a class "D" felony, except that if the
4 victim is under the age of eighteen, the person is guilty of a
5 class "C" "B" felony.

6 8. A person's ignorance of the age of the victim or a belief
7 that the victim was older is not a defense to a violation of
8 this section.

EXPLANATION

10 The inclusion of this explanation does not constitute agreement with
11 the explanation's substance by the members of the general assembly.

12 This bill relates to criminal penalties for individuals
13 engaged in human trafficking of victims who are under the age
14 of 18.

15 The bill increases the criminal penalty from a class "C"
16 felony to a class "B" felony for an individual who knowingly
17 engages in human trafficking of a victim under the age of 18.
18 The penalty is also increased from a class "C" felony to a
19 class "B" felony if the victim is under the age of 18 and an
20 individual physically restrains or threatens to physically
21 restrain another person, solicits services or benefits from
22 the services of the victim, abuses or threatens to abuse the
23 law or legal process, takes a passport or other immigration
24 document from a victim, or the individual benefits financially
25 or by receiving anything of value from participating in human
26 trafficking.

27 It remains a class "B" felony for an individual to knowingly
28 engage in human trafficking of a victim under the age of 18 by
29 causing, or threatening to cause, serious physical injury to
30 another person.

31 A class "C" felony is punishable by confinement for no more
32 than 10 years and a fine of at least \$1,000 but not more than
33 \$10,000. A class "B" felony is punishable by confinement for
34 no more than 25 years.